REMARKS

Present Status of the Application

The Office Action dated May 04, 2006 has rejected claims 1 and 7 under 35 USC 102(e) as being anticipated by Sha et al. (US-6,980,581, hereinafter "Sha").

In addition, claims 2 – 6 are rejected under 35 USC 103(a) as being unpatentable over Sha et al. (US-6,980,581, hereinafter "Sha") in view of Yavitz (US 2003/0033385, hereinafter "Yavitz").

The abstract is objected to because of improper grammar. Correction is provided herein.

The disclosure is objected to because of several informalities. Appropriate corrections are provided herein.

Applicants respectfully traverse the rejections, objections, and amend the claims hereinafter.

After entry of the foregoing amendments, claims 1-7 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Discussion of Rejections Under 35 USC 102(e)

Claims 1 and 7 are rejected under 35 USC 102(e) as being anticipated by Sha et al. (US-6,980,581, hereinafter "Sha").

In regards to claims 1, 3, and 5, the added claim limitation: "the electromagnetic interference signal at each frequency are modulated according to a corresponding **spread out width**" is clearly patentable over Sha.

In FIG. 7 of Sha, Sha teaches of a method for determining an optimized gain for a given

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selected operating frequency, and that a set of, for example, 10 modulation cycles are simulated as described in col. 4, lines 45- 67. The range of 10 modulation cycles in Sha is not equivalent to a "spread out width" in the above patentable claim limitation because the inherent shape of the data obtained via the loop from s208 to s216 in FIG. 7 is different from that of an embodiment of the present invention.

In other words, the different method used in Sha involves the optimizing of the gain Kvco at EACH F as shown in the flowchart in FIG. 7 in the repeated loop of between steps s208 and s216. As a result, the 10 modulaton cycles do have a width but it is not a so-called "spread out width". In addition, the present invention forego the steps of optimizing the actual signal peak value as shown in FIG. 7 in Sha and rely instead on the "spread out width" for lowering of the EMI interference signal values.

In short, Sha teaches of a **different** algorthim that controls the gain of a VCO and adjusts the gain function, wherein a number of modulaton cycles are ran using a target frequency and a gain value, and an accumulated error deviation is calculated based on the differences between a modulation profile from simulation vs. an ideal profile, and a gain value for the VCO that produces the least amount of error deviation is determined. Therefore, the gain values in Sha are **consciously optimized** based on the algorithm, thus Sha **does not** teach **nor** require the reduction of peak values based upon the "speading out width" method as claimed in the above claim limitation.

Therefore, claims 1, 3, and 5 are clearly patentable over Sha, and should be allowed.

Similarly, the following claim features and limitations in claim 7: "… corresponding spread out width at that frequency according to the algorithm; and

spreading out the electromagnetic interference signal according to the spread out width

using the specified frequency as the center of spreading" are also clearly patentable over Sha based

upon the same traversal as above for claims 1, 3, and 5. Therefore, claim 7 should be allowed.

Pending the allowance of independent claims 1, 3, 5 and 7, dependent claims 2, 4, and 6

should also be allowed.

Discussion of Rejections Under 35 USC 103(a)

Claims 2 – 6 are rejected under 35 USC 103(a) as being unpatentable over Sha et al.

(US-6,980,581, hereinafter "Sha") in view of Yavitz (US 2003/0033385, hereinafter "Yavitz").

In regards to rejections to claims 2–6, pending the allowance of independent claims 1, 3,

and 5 based upon the patentability of "the added claim limitation: "the electromagnetic

interference signal at each frequency are modulated according to a corresponding **spread out**

width" over Sha as traversed in the above section as well as over Yavitz, claims 2–6 should be

allowed. Since Yavitz is related to an information retrieval method using a processor and a

memory for storing data and used by the Examiner to provide teaching of the card 30 picking up

tuning information from the application software 76 from an external bus 43 to be applied to the

PLL 64 as shown in FIG. 2 of Yavitz, no teaching in Yavitz is present with respect to the above

patentable claim limitation.

As a result, neither Sha nor Yavitz teaches the above claim limitation found in claims 1, 3,

and 5.

Pending the allowance of independent claims 1, 3, and 5, the dependent claims 2, 4, and 6

should also be allowed.

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Discussion of Objections to Specification

The abstract is objected to because of improper grammar. Correction is provided herein in the amendment to specification section.

The disclosure is objected to because of several informalities. Amended paragraphs [0003]-[0005] are provided herein also in the amendment to specification section.

In response to the objections to the specification as described in page 2 of the Office Action, the corresponding amendments to the specification including the abstract and paragraphs [0003]-[0005] should be suffice to overcome the objections. As a result, the objections to the specification should be withdrawn.
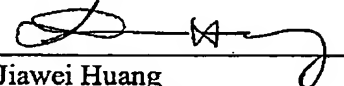
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-7 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,
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